

ORANGE COVE IRRIGATION DISTRICT
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May 16, 2019

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State Water Resources Control Board Division of Water Rights
Attn: Mitchell Moody
P.O. Box 2000
Sacramento, CA 95812-2000
mitchell.moody@waterboards.ca.gov

Dear Chairman Esquivel and Honorable Board Members:

On behalf of the Orange Cove Irrigation District (District) I write in opposition to Semitropic Water Storage District's (Semitropic) Petition to Revise the Fully Appropriated Stream Status of the Kings River (FAS).

The District is a Friant Division Permanent Contractor located in Fresno and Tulare Counties within the Kings River Hydrologic Basin. The District was established in 1937 to organize and invest in the opportunity to acquire surface water supplies developed by the United States' Bureau of Reclamation's Central Valley Project. **The purpose of this landowner investment was to achieve long term sustainability.** The District has demonstrated fulfilling that expectation of sustainability as since 1950 when CVP deliveries began, the aquifer beneath the lands underlying the District have seen a slight net gain in groundwater storage (*approximately 60 acre feet per year annual average gain in groundwater storage which represents about 0.1% of the annual groundwater water use*).

The District is within the Kings River Hydrologic Basin and is a member of the Kings River East GSA. With SGMA now law, the sustainability of the District is tied to the sustainability of the noted GSA and more broadly, the entire hydrologic basin which is obviously heavily reliant on putting Kings River runoff to beneficial use. Semitropic's FAS petition is submitted in an attempt to secure a right to divert Kings River waters for use in Kern County.

Public comments submitted on the Semitropic Project establish that historic Kings River flood flows are less than the anticipated groundwater overdraft in Fresno, Kings, and Tulare Counties. I am aware that planning efforts at various levels of regional and local government are underway to fully utilize Kings River flood flows for addressing SGMA impacts and anticipated growth. It is our position that Kings River water should be available to meet these needs.

The Semitropic Project seeks to divert Kings River flood flows out of the watershed. By exporting water from critically overdrafted groundwater basins, the Semitropic project would significantly impair the ability of the regional GSAs to comply with SGMA without resorting to removing significant acreage from production and limiting urban growth. The Semitropic Project would negatively impact the lives and livelihoods of many people in Fresno, Kings, and Tulare Counties who depend on the Kings River's runoff.

California is the first state in the nation to enact a law recognizing that “every human being has the right to safe, clean, affordable and accessible water” – also known as “the human right to water.” The Kings River service area includes 51 “Disadvantaged Communities” – areas which suffer from a combination of economic, health, and environmental burdens – with a population of 646,236. In addition, the area includes 59 “Severely Disadvantaged Communities” with a population of 84,510. In all, 69 percent of the population that relies upon Kings River supported groundwater basins lives in a Disadvantaged Community or Severely Disadvantaged Community.

Furthermore and contrary to Semitropic’s claims, the Project neither reduces nor eliminates flood risk; rather, it increases the potential for flooding on the South Fork of the Kings River.

For these stated reasons, the District respectfully requests that the State Water Resources Control Board deny Semitropic’s FAS petition. The Semitropic FAS petition and Project are not in the public interest. Instead, the Project would only harm groundwater sustainability efforts, and threaten access to safe, clean, affordable and accessible water.

Thank you for accepting and considering our comments. I may be reached at (559) 626-4461 or by email at fmorrissey@orangecoveid.org

Sincerely,



Fergus Morrissey
Engineer-Manager
Orange Cove Irrigation District

CC:

Senator Brian W. Jones (Vice Chair, Committee on Natural Resources and Water)
Senator Benjamin Allen
Senator Anna Caballero
Senator Robert M. Hertzberg
Senator Ben Hueso
Senator Melissa Hurtado
Senator Hannah-Beth Jackson
Senator Bill Monning